

From: [Marc Mukasey](#)
To: [Diskant, Ted](#)
Cc: [Torrey Young](#); [Kenneth Caruso](#); [Viso, Amella](#)
Subject: Re: Lucas Hicks docs
Date: Sunday, September 25, 2022 2:55:58 PM

[External Email]

Thanks for the clarifications, Ted. Appreciate it.

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On Sep 25, 2022, at 2:33 PM, Diskant, Ted <Ediskant@mwe.com> wrote:

Hi Marc – As we discussed when we spoke on September 6, we have not imaged/collected Mr. Hicks’ full email account or his devices, which would be a time consuming and expensive process for a non-party individual to undertake. What we agreed to do, in satisfaction of your requests, was to have Mr. Hicks run certain search terms across his email account, give us copies of whatever hit on those terms so that we could review that material for responsiveness and privilege and turn any non-privileged, responsive material over to you. That is what we have done.

Because of that, the format in which we have produced is a PDF of each responsive, non-privileged email. I’m not aware of any instance in which we intentionally omitted a portion of the email or chain (save the one redaction you’ve highlight), but if you want to bring any particular email(s) to our attention we’re happy to review it. Nor have we intentionally done anything to alter the format of any of these emails – I would disagree with the suggestion that “many” of the emails produced lack a date, but I’m also not sure why the date does not appear on the handful of emails you’ve identified below and 2-3 others I’ve seen in reviewing the production this afternoon. We will look into that issue and will do our best to reproduce those emails with dates on them.

With respect to the “Milton Diligence Folder,” I understand from counsel to Peter Hicks that everything contained in that folder (which I understand to be roughly 15 documents pertaining to the Ranch) has already been produced by him, so we did not duplicate those efforts. If you have reason to believe that is not the case, please let us know.

The redacted language on LH-DOJ-00000154 does not pertain to the subjects of your subpoena and therefore was redacted as non-responsive.

Finally, we did not agree to produce text messages and do not intend to do so. As discussed on September 6, while I have no reason to believe there is any meaningful

volume of relevant text messages, absent hiring a vendor to image Mr. Hicks' phone – which, as noted, would be an expensive, burdensome and invasive process for a non-party individual – we have no ready ability to search for text messages that, at this point, would be 2.5 years old.

We will look into the date issue above and report back.

Best,

Ted

Edward B. Diskant

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Dara Gilmore, Assistant to Edward B. Diskant

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From: Marc Mukasey <Marc.Mukasey@MukaseyLaw.com>

Sent: Sunday, September 25, 2022 9:58 AM

To: Diskant, Ted <Ediskant@mwe.com>

Cc: Torrey Young <Torrey.Young@mfsllp.com>; Kenneth Caruso

<Ken.Caruso@mfsllp.com>

Subject: Lucas Hicks docs

[External Email]

Ted - We have reviewed the Lucas Hicks production and have some questions, mainly about the format of the emails. First, many of the emails are without a date (e.g., LH-DOJ-00000145-00000150, 00000167). Second, many of the emails don't seem to adhere to traditional email format, with headers and full/prior threads. If these emails have been curated in some fashion and for some reason, please let us know. Third, LH-DOJ-00000146, the subject line of which is "Milton Diligence Folder," contains a link to a Dropbox that we cannot access. Fourth, we are interested in any text messages that fall within the subpoena's request. Fifth, please let us know the reason for the redaction in LH-DOJ-00000154. Would be happy to talk later today or tomorrow. Many thanks.

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